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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,087	04/13/2004	Hung-Yi Chang		3086
41620	7590	05/17/2006		
			EXAMINER	
			BEAUCHAINE, MARK J	
			ART UNIT	PAPER NUMBER
				3653

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/709,087	CHANG, HUNG-YI
	Examiner Mark J. Beauchaine	Art Unit 3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 February 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-18 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1 and 10 is/are rejected.  
 7) Claim(s) 2-9 and 11-18 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 13 April 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

This communication is in response to the Applicant's amendment dated 22 February 2006 which was in response to Office action dated 22 November 2004. The rejections under 35 USC §§112 and 102 of said Office action are withdrawn.

### ***Oath/Declaration***

Despite the Applicant's assertion that a corrected oath and declaration form has been submitted with the above-mentioned amendment not such document has been found in the record of file. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is still required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because it is missing the signature of the Applicant.

### ***Drawings***

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of numerous defects. Although the following defects must be addressed the Applicant is requested to review Figures 1-11 for additional deficiencies:

Figure 4; the exploded view of the coin dispenser erroneously depicts directing element 51 and lid 53 as being assembled between chassis 4 outlet adjusting device 5.

This arrangement is in contrast to said directing element and lid being assembled adjacent to coin outlet 42 of chassis 4 (cf. Figures 2, 3 and 5-9).

Although the number "43" and an associated lead line related to the positioning member are depicted in the figure said positioning member is not depicted.

Number "5" and the associated lead line fail to properly identify the elements associated with the outlet-adjusting device 5 (cf. specification para.3200). It is suggested that the drawings be amended to clearly show an exploded view of all elements of outlet-adjusting device 5 being enclosed in brackets, as well as how said elements are assembled, in accordance with 37 CFR 1.84(h)(1).

Ejecting element 52 (see specification para. 0032, lines 2, 6 and 7, and 19) is not labeled.

Item 501 is not identified in the specification.

The lead line of adjusting "elements" 5211 points to a single element in lieu of identifying a plurality of elements (cf. specification para. 0032 lines 6-9).

Figure 5; the lead line associated with the number "43" fails to correctly identify positioning member 43.

Appropriate correction is required.

Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new

drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Specification***

Item 501 of Figure 4 is not found in the specification.

The term “resilient member 5221” should be plural (para. 0032, line16 and lines 16 and 17). Also, how is the rotating set 521 actuated to cause resilient element 5213 to be tensioned (lines 10-13)?

The relationship between items 521 and 522 is contradictory. Rotating member 522 is said to be both a part of rotating set 521 and “set on” the rotating set. See para. 0032, lines 13-15.

The term “showing before adjusting” (para. 0035, lines 2 and 3) is improper grammar.

The term “directing element is biasing a sector” (para. 0035, lines 4 and 5) is ambiguous.

The term "shakes due when" (para. 0036, line 6) is improper grammar. Also, the term "shakes" related to stop member 5222 is ambiguous. Does the stop member move up and down or side to side? Also, how does the movement of stop member 5222 interact with the rest of ejecting element 52? How does the elasticity of resilient member 5221 cause the coin to be pushed (para.0036, lines 7 and 8)?

Does the rotating member 522 (see para. 0032 and Figure 4) interact with the drive arrangement of rotating plate 2? If so, how? Also, if the "rotating set 521 is rotated by the axial member 5212" (para. 0032, line 10) how is it actuated?

Appropriate correction is required.

### ***Claim Objections***

Claim 10 is objected to because of the following informality:

The term "every two said coin" (line 6) is ambiguous.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, there is no structural relationship between the directing element and the ejecting element.

Regarding claim 10, there is no reference point of the biasing angle of the directing flange. Also, the term "corresponding to" regarding adjusting groove and positioning member is ambiguous.

#### ***Allowable Subject Matter***

Claims 2-9 and 11-18 are objected to as being dependent from claims 1 and 10 that are rejected under 35 U.S.C. §112, 2nd paragraph, set forth in this Office action. Although the prior art does not clearly render claims 1-18 unpatentable and has therefore not been applied, this does not necessarily indicate that these claims contain allowable subject matter. Because these claims fail to meet the requirements of 35 USC §112, 2<sup>nd</sup> paragraph, as noted above, it is not possible to properly apply the art to these claims without disregarding portions of the express wording of the claims, and thus, resorting to speculation and conjecture as to the particular invention defined therein.

The following is a statement of reasons for the indication of allowable subject matter:

The Examiner considered Patent Number US 6,352,472 B1 by Tsuchida et al (hereinafter “Tsuchida”) to be the prior art most closely related to the Applicant’s claimed invention. Although the coin ejecting apparatus disclosed by Tsuchida incorporates movable roller 26 that reads on the Applicant’s adjusting element 5211 of claim 1 and ejecting element of claim 10 it fails to disclose or suggest an adjustable ejecting element or directing flange biasing angle of the Applicant’s independent claims 1 and 10, respectively.

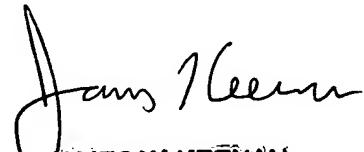
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark J. Beauchaine whose telephone number is (571)272-6934. The examiner can normally be reached on 8:00AM through 5:00PM Mondays through Thursdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Eileen Lillis can be reached on (571)272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mjb



JAMES W. KEENAN  
PATENT EXAMINER